

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
15686-N .....	.....	Smoky Mountain Helicopters, Inc., Hanapepe, HI.	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27(b)(2), 172.200, 172.300, Part 173, 175.30(a)(1) and 175.75.	To authorize the transportation in commerce of certain hazardous materials by 14 CFR Part 133 Rotorcraft External Load Operations transporting hazardous materials attached to or suspended from an aircraft, in remote areas of the U.S. only, without being subject to hazard communication requirements, quantity limitations and certain loading and stowage requirements.
15688-N .....	.....	Airborne Aviation, Lihue, HI	49 CFR 172.101 Column (9B), 172.204(c)(3), 173.27(b)(2), 172.200, 172.300, Part 173, 175.30(a)(1) and 175.75.	To authorize the transportation in commerce of certain hazardous materials by 14 CFR Part 133 Rotorcraft External Load Operations transporting hazardous materials attached to or suspended from an aircraft, in remote areas of the U.S. only, without being subject to hazard communication requirements, quantity limitations and certain loading and stowage requirements.

[FR Doc. 2012-19833 Filed 8-16-12; 8:45 am]

BILLING CODE 4909-60-M

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35659]

#### Santa Cruz and Monterey Bay Railway Company—Acquisition and Operation Exemption—Union Pacific Railroad Company

Santa Cruz and Monterey Bay Railway Company (SCMB), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Union Pacific Railroad Company (UP) and operate a permanent and exclusive operating easement over a 31.0-mile line (the Line). The Line, known as the Santa Cruz Branch, extends from milepost 0.433 at the east boundary of Salinas Road, near Watsonville Junction, Cal., to milepost 31.39 at the end of the line near Davenport, Cal., and includes an interconnection with Santa Cruz, Big Trees & Pacific Railway Company at milepost 20.4 in Santa Cruz, Cal., and an additional 3.6 miles of siding and spur track. SCMB states that there are no agreements applicable to the Line that contain any provisions that may limit future interchange with a third-party carrier.

In two related proceedings, verified notices of exemption were filed for: (1) Iowa Pacific Holdings, LLC, and Permian Basin Railways to continue in control of SCMB upon SCMB's becoming a Class III rail carrier, *Iowa Pacific Holdings, LLC & Permian Basin Rys.—Continuance in Control Exemption—Santa Cruz & Monterey Bay Ry.*, Docket No. FD 35632; and (2) SCMB to acquire by assignment from Sierra Northern Railway its lease and operating rights over the Line, *Santa Cruz & Monterey Bay Ry.—Assignment of Lease Exemption—Union Pacific R.R.*

*& Sierra Northern Ry.*, Docket No. FD 35633.<sup>1</sup>

The transaction may be consummated on or after September 2, 2012 (30 days after the notice of exemption was filed).

SCMB certifies that its projected annual revenues as a result of this transaction will not result in SCMB's becoming a Class II or Class I rail carrier and will not exceed \$5 million.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than August 24, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35659, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John D. Heffner, Strasburger & Price, LLP, 1700 K Street NW., Suite 640, Washington, DC 20006.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: August 14, 2012.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Raina S. White,**

*Clearance Clerk.*

[FR Doc. 2012-20236 Filed 8-16-12; 8:45 am]

BILLING CODE 4915-01-P

<sup>1</sup> Related to these notices of exemption is a petition for a declaratory order filed by the Santa Cruz County Regional Transportation Commission (SCCRTC). See *Santa Cruz Cnty. Reg'l Transp. Comm'n—Petition for Declaratory Order*, Docket No. FD 35653. SCCRTC seeks a finding that its purchase of the physical assets of the Line from UP is not subject to the Board's approval jurisdiction and will not result in SCCRTC acquiring a common carrier obligation with respect to the Line. The petition will be addressed in a separate decision.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35633]

#### Santa Cruz and Monterey Bay Railway Company—Assignment of Lease Exemption—Union Pacific Railroad Company and Sierra Northern Railway

Santa Cruz and Monterey Bay Railway Company (SCMB), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire by assignment from Sierra Northern Railway its lease and operating rights over a 31.0-mile rail line (the Line) owned by Union Pacific Railroad Company (UP). The Line, known as the Santa Cruz Branch, extends from milepost 0.433 at the east boundary of Salinas Road, near Watsonville Junction, Cal., to milepost 31.39 at the end of the line near Davenport, Cal., and includes an interconnection with Santa Cruz, Big Trees & Pacific Railway Company at milepost 20.4 in Santa Cruz, Cal., and an additional 3.6 miles of siding and spur track. SCMB states that there are no agreements applicable to the Line that contain any provisions that may limit future interchange with a third-party carrier.

In two related proceedings, verified notices of exemption were filed for: (1) Iowa Pacific Holdings, LLC and Permian Basin Railways to continue in control of SCMB upon SCMB's becoming a Class III rail carrier, *Iowa Pacific Holdings, LLC & Permian Basin Rys.—Continuance in Control Exemption—Santa Cruz & Monterey Bay Ry.*, Docket No. FD 35632; and (2) SCMB to acquire from UP and operate a permanent and exclusive operating easement over the Line, *Santa Cruz & Monterey Bay Ry.—Acquis. & Operation Exemption—Union Pacific R.R.*, Docket No. FD 35659.<sup>1</sup>

<sup>1</sup> Related to these notices of exemption is a petition for a declaratory order filed by the Santa

The transaction may be consummated on or after August 31, 2012 (the effective date of the exemption).

SCMB certifies that its projected annual revenues as a result of this transaction will not result in SCMB's becoming a Class II or Class I rail carrier and will not exceed \$5 million.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than August 24, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35633, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy must be served on John D. Heffner, Strasburger & Price, LLP, 1700 K Street NW., Suite 640, Washington, DC 20006.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: August 14, 2012.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Derrick A. Gardner,**  
Clearance Clerk.

[FR Doc. 2012-20241 Filed 8-16-12; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35657]

#### Pacific Imperial Railroad, Inc.—Change in Operator Exemption—Rail Line of San Diego and Arizona Eastern Railway Company

Pacific Imperial Railroad, Inc. (PIR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to change operators, pursuant to an agreement with Carrizo Gorge Railway, Inc. (CGR),<sup>1</sup> from CGR to PIR over a 70.01-mile rail line between milepost

59.60 in Division, Cal. and milepost 129.61 in Plaster City, Cal. (Desert Line).<sup>2</sup> The Desert Line is owned by San Diego and Arizona Eastern Railway Company (SD&AE). The agreement provides for a change in operators for the Desert Line through CGR's assignment of its authority to operate the Desert Line to PIR, with the consent of SD&AE, its parent, San Diego Metropolitan Transit Development Board, and SD&IV.

The transaction may be consummated on or after August 31, 2012 (30 days after the notice of exemption was filed).

PIR certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than August 24, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35657, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas F. McFarland, 208 South LaSalle Street, Suite 1890, Chicago, IL 60604.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: August 13, 2012.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2012-20260 Filed 8-16-12; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35632]

#### Iowa Pacific Holdings, LLC and Permian Basin Railways—Continuance in Control Exemption—Santa Cruz and Monterey Bay Railway Company

Iowa Pacific Holdings, LLC, and Permian Basin Railways (IPH/PBR), noncarriers, have filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Santa Cruz and Monterey Bay Railway Company (SCMB) upon SCMB's becoming a Class III rail carrier.<sup>1</sup>

In a concurrently filed verified notice of exemption, SCMB seeks Board approval to acquire by assignment from Sierra Northern Railway its lease and operating rights over a 31.0-mile rail line (the Line) owned by Union Pacific Railroad Company (UP). The Line, known as the Santa Cruz Branch, extends from milepost 0.433 at the east boundary of Salinas Road, near Watsonville Junction, Cal., to milepost 31.39 at the end of the line near Davenport, Cal., and includes an interconnection with Santa Cruz, Big Trees & Pacific Railway Company at milepost 20.4 in Santa Cruz, Cal., and an additional 3.6 miles of siding and spur track. *Santa Cruz & Monterey Bay Ry.—Assignment of Lease Exemption—Sierra N. Ry.*, Docket No. FD 35633.

In addition, SCMB has filed a related verified notice of exemption to acquire from UP its permanent and exclusive operating easement over the Line.<sup>2</sup> *Santa Cruz & Monterey Bay Ry.—Acquis. & Operation Exemption—Union Pac. R.R.*, Docket No. FD 35659.

The transaction may be consummated on or after August 31, 2012 (the effective date of the exemption).

IPH/PBR subsidiary railroads include: (1) Chicago Terminal Railroad, located in and around Chicago, Ill.; (2) Mount Hood Railroad, located in Oregon; (3) San Luis & Rio Grande Railroad, located in Colorado; (4) Saratoga & North Creek Railway, located in New York; (5)

<sup>1</sup> PBR and SCMB are wholly owned subsidiaries of IPH.

<sup>2</sup> Related to these notices of exemption is a petition for a declaratory order filed by the Santa Cruz County Regional Transportation Commission (SCCRTC). See *Santa Cruz Cnty. Reg'l Transp. Comm'n—Petition for Declaratory Order*, Docket No. FD 35653. SCCRTC seeks a finding that its purchase of the physical assets of the Line from UP is not subject to the Board's approval jurisdiction and will not result in SCCRTC acquiring a common carrier obligation with respect to the Line. As part of the transaction, UP will retain the permanent and exclusive operating easement over the Line that SCMB is seeking to acquire. The petition will be addressed in a separate decision.

Cruz County Regional Transportation Commission (SCCRTC). See *Santa Cruz Cnty. Reg'l Transp. Comm'n—Petition for Declaratory Order*, Docket No. FD 35653. SCCRTC seeks a finding that its purchase of the physical assets of the Line from UP is not subject to the Board's approval jurisdiction and will not result in SCCRTC acquiring a common carrier obligation with respect to the Line. The petition will be addressed in a separate decision.

<sup>1</sup> CGR was authorized to operate the Desert Line in *Carrizo Gorge Railway—Operation Exemption—San Diego and Eastern Railway*, FD 34485 (STB served Apr. 12, 2004).

<sup>2</sup> PIR states that San Diego & Imperial Valley Railroad Company, Inc. (SD&IV) has residual authority to operate the Desert Line and has agreed to assign that authority to PIR. PIR states that it will file another notice of exemption for Board approval at the appropriate time regarding that assignment.